

1 GENTILE CRISTALLI
2 MILLER ARMENI SAVARESE
3 MICHAEL V. CRISTALLI
Nevada Bar No. 6266
Email: mchristalli@gcmaslaw.com
4 410 South Rampart Boulevard, Suite 420
Las Vegas, Nevada 89145
Tel: (702) 880-0000
5 Fax: (702) 778-9709
Attorney for Defendant, ROBERT BUCKHANNON

6

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

CASE NO. 2:14-cr-00315-JCM-VCF-1

10 Plaintiff,

11 vs.

12 ROBERT BUCKHANNON,

13 Defendant.

14 **STIPULATION AND ORDER TO CONTINUE SENTENCING (THIRD REQUEST)**

15 **IT IS HEREBY STIPULATED** by and between Robert Buckhannon, Defendant, by
16 and through his counsel, Michael V. Cristalli, Esq., of the law firm of Gentile Cristalli Miller
17 Armeni Savarese, and the Plaintiff, United States of America, by and through Steven W. Myhre,
18 Acting United States Attorney, and Kathryn Newman Assistant United States Attorney,
19 sentencing currently scheduled for January 23, 2018, at 10:00 a.m. be vacated and continued to a
20 date and time convenient to the Court but not earlier than sixty (60) days.

21 This Stipulation is entered into for the following reasons:

- 22 1. This is the third request to continue Mr. Buckhannon's sentencing in this matter.
23 2. The United States is still contemplating the filing a 5K1.1 Motion.
24 3. Kathryn Newman, counsel for the United States of America, is currently preparing for a
trial in the matter of *United States v. Terry Williamson*, Case No.: 2:15-cr-127-RFB.

25 That trial is anticipated to conclude by February 9, 2018.

- 1 4. The United States needs additional time to consider the defendant's cooperation for
2 purposes of USSG 5K1.1.
- 3 5. The additional time requested herein is not sought for purposes of delay and the denial
4 of this request for a continuance could result in a miscarriage of justice.
- 5 6. For all the above-stated reasons, the ends of justice would be best served by the
6 continuance of the sentencing date.

7 STEVEN W. MYHRE
8 ACTING UNITED STATES ATTORNEY
9 DISTRICT OF NEVADA

10 DATED this 22nd day of January, 2018.

11 /s/Kathryn Newman
12 STEVEN W. MYHRE
13 Acting United States Attorney
14 KATHRYN NEWMAN
15 Assistant United States Attorney
16 Attorney for Plaintiff,
17 UNITED STATES OF AMERICA

18 GENTILE CRISTALLI
19 MILLER ARMENI SAVARESE

20 DATED this 22nd day of January, 2018.

21 /s/Michael V. Cristalli
22 MICHAEL V. CRISTALLI
23 Attorney for Defendant,
24 ROBERT BUCKHANNON

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

CASE NO. 2:14-cr-00315-JCM-VCF-1

Plaintiff,

VS.

ROBERT BUCKHANNON,

Defendant.

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court hereby finds that:

CONCLUSIONS OF LAW

Based on the fact that counsel has agreed to a continuance, the Court hereby concludes that:

1. This is the third request to continue Mr. Buckhannon's sentencing in this matter.
 2. The United States is still contemplating the filing a 5K1.1 Motion.
 3. Kathryn Newman, counsel for the United States of America, is currently preparing for a trial in the matter of *United States v. Terry Williamson*, Case No.: 2:15-cr-127-RFB. That trial is anticipated to conclude by February 9, 2018.
 4. The United States needs additional time to consider the defendant's cooperation for purposes of USSG 5K1.1.
 5. The additional time requested herein is not sought for purposes of delay and the denial of this request for a continuance could result in a miscarriage of justice.

6. For all the above-stated reasons, the ends of justice would be best served by the continuance of the sentencing date.

ORDER

IT IS HEREBY ORDERED that the sentencing in this matter scheduled for January 23, 2018, at the hour of 10:00 a.m., is hereby vacated and continued to the **26th day of March, 2018 at 10:00 a.m., in Courtroom 6A.**

DATED January 22, 2018.

JAMES C. MAHAN
UNITED STATES DISTRICT COURT JUDGE
CASE NO.: 2:14-cr-00315-JCM-VCF-1